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Attorneys for Plaintiffs
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNILIN BEHEER B.V., and FLOORING
INDUSTRIES, LTD. SARL,

Plaintiffs,

v.

TROPICAL FLOORING, *et. al.*

Defendants.

CASE NO.: 2:14-cv-02209-BRO
(SSx)

[Assigned to the Honorable
Beverly Reid O'Connell]

**PLAINTIFFS' REQUEST
FOR ENTRY OF DEFAULT
AGAINST DEFENDANT
HENGXIANG FLOORING,
INC.**

[Concurrently filed with the
Declaration of Enoch H. Liang
In Support]

1 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

2 Pursuant to Federal Rules of Civil Procedure 55, Plaintiffs UNILIN
3 BEHEER B.V. (“Unilin”) and FLOORING INDUSTRIES, LTD. SARL
4 (“Flooring Industries”) (collectively referred to as “Plaintiffs”) respectfully request
5 that the Clerk of the above-entitled Court enter default in this matter against
6 Defendant HENGXIANG FLOORING, INC. (“Hengxiang” or “Defendant”) based
7 on the following:

8 1. On March 24, 2014 Plaintiffs filed a complaint alleging patent
9 infringement against Defendant. *See* Dkt. No. 1; Declaration of Enoch H. Liang In
10 Support of Plaintiffs Request for Entry of Default (“Liang Decl.”), at ¶ 2.

11 2. Defendant was served with the summons and complaint on March 28,
12 2014 by substituted service by leaving a copy of the summons and complaint with
13 a person apparently in charge at the Defendant’s office, who was informed of the
14 contents thereof. Copies of the summons and complaint were subsequently mailed
15 to the office. *See* Dkt. No. 15; Liang Decl., at ¶ 3.

16 3. The time for Defendant to respond or otherwise defend against
17 Plaintiff’s complaint has expired. Defendant’s response deadline was April 28,
18 2014. *See* Fed. R. Civ. P. 12(a)(1); Cal Civ. Proc. Code § 415.20(a); Liang Decl.,
19 at ¶ 4.

20 4. Defendant is neither a minor nor an incompetent person, and
21 Defendant is not a member of the U.S. military. Liang Decl., at ¶ 5.

22 5. To date, Defendant has not filed a pleading in response to Plaintiff’s
23 complaint, nor has Defendant taken any action that otherwise indicates
24 Defendant’s intent to defend the suit. For example, Defendant has filed neither an
25 answer nor any motion in response to Plaintiff’s complaint. Liang Decl., ¶ 6.

26 6. The Court must enter default “when a party against whom a judgment
27 for affirmative relief is sought has failed to plead or otherwise defend, and that
28 failure is shown by affidavit or otherwise.” Fed. R. Civ. P. 55(a).

1 7. Defendant has failed to plead or defend as required by the Federal
2 Rules, and therefore it is appropriate for this Court to enter default against
3 Defendant with respect to Plaintiff's complaint.

4
5 For the reasons set forth above, Plaintiffs respectfully request that the clerk
6 of this Court enter default against Defendant on Plaintiffs' complaint.

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9 Dated: August 13, 2014

Respectfully Submitted,

LEE TRAN & LIANG LLP

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12 By: /s/ Enoch H. Liang

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14 Attorneys for Plaintiffs
15 UNILIN BEHEER B.V. and FLOORING
16 INDUSTRIES, LTD. SARL
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PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles State of California. I am over the age of 18 and not a party to the within action; my business address is: 601 S. Figueroa Street, Suite 3900, Los Angeles, CA 90017.

On **August 13, 2014**, I served the foregoing document(s) described as:
PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANT HENGXIANG FLOORING, INC.; DECLARATION OF ENOCH H. LIANG IN SUPPORT OF PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANT HENGXIANG FLOORING, INC. on the interested parties in this action.

Hengxiang Flooring, Inc. 2400 Chico Avenue South El Monte, CA 91733	
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☒ **BY MAIL** I placed such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I caused said document(s) to be served by means of this Court's electronic transmission of the Notice of Electronic filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF Users set forth in the service list obtained from this Court.

Executed on **August 13, 2014**, at Los Angeles, California.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Lynette W. Suksnguan
Print Name


Signature